

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

UNITED STATES OF AMERICA,

Plaintiff,

vs.

RICHARD ANTHONY PENA,

Defendant.

Case No.: 2:21-cr-00316-ART-EJY

**ORDER GRANTING ECF No. 22
RE: DISCOVERY DISCLOSURES**

IT IS THEREFORE ORDERED that the Government's deadline to disclose all discovery pursuant to Federal Rule of Criminal Procedure 16(a)(1)(A)-(F) is January 22, 2024.

IT IS FURTHER ORDERED that the Government's deadline to provide expert witness disclosures consistent with Federal Rule of Criminal Procedure 16(a)(1)(G) for its' Case in Chief no later than 60 days before trial.

IT IS FURTHER ORDERED that the Government's deadline to provide expert witness disclosures consistent with Federal Rule of Criminal Procedure 16(a)(1)(G) for its' Rebuttal 21 days after it receives the Defendant's expert disclosure, if any.

IT IS FURTHER ORDERED that the Government's deadline to provide Confidential Informants' identities (if applicable) is no later than 45 days before trial.

IT IS FURTHER ORDERED that the Government will disclose all subsequently discovered information within the scope of *Brady v. Maryland*, 373 U.S. 83 (1963), *Giglio v. United States*, 405 U.S. 150 (1972), *United States v. Henthorn*, 931 F.2d 29 (9th Cir. 1991), and

1 their progeny without regard to materiality within the government's actual or constructive
2 possession reasonably promptly upon its discovery and sufficiently in advance of the pre-trial
3 hearing, trial, or sentencing to ensure efficiency of the proceeding.

4 IT IS FURTHER ORDERED that the Government's deadline to disclose all
5 responsive information within the scope of Federal Rule of Criminal Procedure 12.1; 12.2;
6 12.3 is 14 days after Defendant's notice, if applicable.

7 IT IS FURTHER ORDERED that the Defense's deadline to provide expert witness
8 disclosures consistent Federal Rule of Criminal Procedure 16(b)(1)(C) is no later than 45 days
9 before trial.

10 IT IS FURTHER ORDERED that the Defense's deadline to file written notice of an
11 alibi defense, insanity defense, expert evidence of a mental condition, or public authority
12 defense consistent with Federal Rule of Criminal Procedure 12.1; 12.2 and 12.3 is no later than
13 60 days before trial.

14 DATED this 21st day of December, 2023.

15
16 

17 HONORABLE ANNE R. TRAUM
18 UNITED STATES DISTRICT JUDGE
19
20
21
22
23
24